In the Supreme Court of the United States

OCTOBER TERM, 1973

No. 72-1529

UNITED STATES OF AMERICA

v.

JOHN DOWDY

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

PETITION OF THE UNITED STATES FOR REHEARING

On October 9, 1973, the Court denied the petitions for writs of certiorari in *United States* v. *Dowdy,* No. 72-1529, and in *Dowdy* v. *United States,* No. 72-1584.

On October 26, 1973, the Chief Justice suspended the order denying the petition for a writ of certiorari in No. 72-1584 and granted petitioner Dowdy an extension of time to and including November 30, 1973, within which to file a petition for rehearing.

The government normally would not seek rehearing of the denial of its petition. However, in view of the action of the Chief Justice, we are filing this petition for rehearing, which we ask to be granted only if the Court should grant the petition in No. 72-1584. Such action would enable the Court, if it is to hear the case

at all, to have all the issues before it, including the important questions presented by the government's petition.

Respectfully submitted.

ROBERT H. BORK,
Solicitor General.

OCTOBER 1973.